Customer Proprietary Network Information (CPNI) Compliance Manual and Operating Procedures For Eastern Shore Communications

and affiliates

Revised
December 1, 2013

This Manual reflects federal law on the subject of Customer Proprietary Network Information (CPNI), and is current through the FCC's Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 96-115 (rel'd April 2, 2007).

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SECTION 1
DEFINITIONS

Account Information: Information that is specifically connected to the Customer's service relationship with a Carrier, including such things as an account number or any component thereof, the telephone number associated with the account, or the bill amount.

Address of Record: An address, whether postal or electronic, that a Carrier has associated with the Customer's account for at least 30 days.

Affiliate: A person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. The term "own" means to own an equity interest (or the equivalent thereof) of more than 10 percent.

Aggregate Customer Information: Collective data that relates to a group or category of services or Customers, from which individual Customer identities and characteristics have been removed.

Breach: When a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI.

Carrier: See Telecommunications Carrier.

Call Detail Information: Any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. Remaining minutes of use is not Call Detail Information (but is CPNI).

CMRS: Commercial Mobile Radio Service.

Communications-Related Services: Telecommunications Services, Information Services typically provided by Telecommunications Carriers, and services related to the provision or maintenance of Customer Premises Equipment.

Company: Barry County Telephone Company and its affiliates (Lake Michigan Telephone Co., Southern Michigan Cellular Co., and db Message Express Internet) hence forth referred to as Company.

Customer: A person or entity to which a Telecommunications Carrier is currently providing service.

SECTION 1
DEFINITIONS (CONT'D)

Customer Premises Equipment: Equipment employed on the premises of a person (other than a Carrier) to originate, route, or terminate telecommunications.

Emergency Notification Services: Services that notify the public of an emergency.

Emergency Services: 9-1-1 emergency services and emergency notification services.

Emergency Support Services: Information or data base management services used in support of emergency services.

FCC: Federal Communications Commission.

Information Service: The offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a Telecommunications Service.

Information Services Typically Provided by Telecommunications Carriers: Information services that Telecommunications Carriers typically provide, such as Internet access or voice mail services. The term does not include retail consumer services provided using Internet websites (such as travel reservation services or mortgage lending services), whether or not such services might otherwise be considered to be Information Services.

Interconnected VoIP Service: A service that: (1) enables real-time, two-way voice communications; (2) requires a broadband connection from the user's location; (3) requires Internet protocol-compatible Customer Premises Equipment; and (4) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

Local Exchange Carrier: Any person engaged in the provision of telephone exchange service or exchange access. Such term does not include a person insofar as such person is engaged in the provision of a commercial mobile service (except to the extent that the FCC determines that such service should be included in the definition of the term).

SECTION 1
DEFINITIONS (CONT'D)

Opt-In Approval: A method for obtaining Customer consent to use, disclose, or permit access to the Customer's CPNI. This approval method requires that the Carrier obtain the Customer's affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the Customer is provided appropriate notification of the Carrier's request.

Opt-Out Approval: A method for obtaining Customer consent to use, disclose, or permit access to the Customer's CPNI. Under this approval method, a Customer is deemed to have consented to the use, disclosure, or access to the Customer's CPNI if the Customer has failed to object thereto within the prescribed waiting period, after the Customer is provided appropriate notification of the Carrier's request for consent.

Public Safety Answering Point: The term "public safety answering point" means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

Readily Available Biographical Information: Information drawn from the Customer's life history and includes such things as the Customer's social security number, or the last four digits of that number; mother's maiden name; home address; or date of birth.

Subscriber List Information: Any information (1) identifying the listed names of a Carrier's subscribers and the subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and (2) that the Carrier or an Affiliate has published, caused to be published, or accepted for publication in any directory format.

Telecommunications Carrier: Any provider of Telecommunications Services, except that such term does not include aggregators of Telecommunications Services, but does include an entity that provides Interconnected VoIP Service.

Telecommunications Service: The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

Telephone Number of Record: The telephone number associated with the underlying service, but does not include the telephone number supplied as a Customer's "contact information."

SECTION 1
DEFINITIONS (CONT'D)

Valid Photo ID: A government-issued means of personal identification with a photograph such as a driver's license, passport, or comparable identification that is not expired.

SECTION 2
STATEMENT OF CORPORATE POLICY

The policy of Company is to comply with the letter and spirit of all laws of the United States, including those pertaining to CPNI contained in § 222 of the Telecommunications Act of 1996, as amended, 47 USC 222, and the FCC's regulations, 47 CFR, Part 64, Subpart U. The Company's policy is to protect the confidentiality of CPNI, and to rely on the involvement of high-level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.

The FCC's regulations, 47 CFR 64.2009, require the Company to implement a system to clearly establish the status of a Customer's CPNI approval prior to the use of CPNI, and to train its personnel as to when they are, and are not, authorized to use CPNI, and to have an express disciplinary process in place. This Manual constitutes the Company's policies and procedures related to CPNI. All employees are required to follow the policies and procedures specified in this Manual.

 Any questions regarding compliance with applicable law and this Manual should be referred to Ronald van Geijn or Eric Medina at (757) 695-2080

 Any violation of, or departure from, the policies and procedures in this Manual shall be reported immediately to Ronald van Geijn or Eric Medina at (757) 695-2080

SECTION 3
WHAT IS CPNI?

Customer Proprietary Network Information (CPNI) is—

Information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a Telecommunications Service subscribed to by any Customer of a Telecommunications Carrier, and that is made available to the Carrier by the Customer solely by virtue of the Carrier - Customer relationship; and Information contained in the bills pertaining to telephone exchange service or telephone toll service received by a Customer of a Carrier.

Examples:

- Information regarding to whom, where, and when a Customer places a call;
- Frequency, timing, and duration of calls;
- The types of service offerings to which the Customer subscribes;
- The extent to which a Customer uses a service;
- The Customer's pre-subscribed toll provider; and
- Call Detail Information on Inbound and Outbound Calls.

CPNI is Not—

- Subscriber List Information.
- Customer name, address and phone number.
- Aggregate Customer Information.

SECTION 4
USE OF CPNI IN GENERAL

A. Duty. The Company has a duty to protect the confidentiality of its Customers' CPNI. The Company must disclose CPNI upon affirmative written request by the Customer, to any person designated by the Customer.

B. Use of CPNI Obtained from Company's Customers: Except as otherwise permitted as described in this Manual, when the Company receives or obtains CPNI by virtue of its provision of a Telecommunications Service, it can only use, disclose, or permit access to individually identifiable CPNI in its provision of:
    1. The Telecommunications Service from which the information is derived; or
    2. Services necessary to, or used in, the provision of the Telecommunications Service, including the publishing of directories.

C. Use of CPNI Obtained from Other Carriers: When the Company receives or obtains CPNI from another Carrier for purposes of providing any Telecommunications Service, it shall use such CPNI only for such purpose, and not for its own marketing efforts.

D. Use of Aggregate Customer Information.
    1. Aggregate Customer Information is collective data that relates to a group or category of services or Customers, from which individual Customer identities and characteristics have been removed.
    2. The Company may use, disclose, or permit access to Aggregate Customer Information other than for the purposes described in Paragraph B above, but only if it provides such information to other Carriers or persons on reasonable and nondiscriminatory terms and conditions upon reasonable request.

E. Tracking Calls to Competitors Prohibited: The Company cannot use, disclose or permit access to CPNI to identify or track Customers that call competing service providers.

F. The Company will disclose CPNI, upon affirmative written request by the Customer, to any person designated by the Customer. See Appendix 4 for Sample Form.

SECTION 5
USE OF CPNI: CUSTOMER APPROVAL NOT REQUIRED

The Company may use, disclose, or permit access to CPNI, without Customer approval:

A. To provide inside wiring installation, maintenance, and repair services.
B. For the provision of Customer Premises Equipment and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.
C. To protect the rights or property of the Company, or to protect users of services and other Carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.
D. Initiate, render, bill and collect for Telecommunications Services;
E. CMRS providers may use, disclose, or permit access to CPNI to:
    1. conduct research on the health effects of CMRS;
    2. to provide call location information concerning the user of CMRS—
        i. to a Public Safety Answering Point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for Emergency Services;
        ii. to inform the user's legal guardian or members of the user's immediate family of the user's location in an emergency situation that involves the risk of death or serious physical harm; or
        iii. to providers of information or database management services solely for purposes of assisting in the delivery of Emergency Services in response to an emergency.
F. Certain marketing activities as discussed on Section 6.

SECTION 6
USE OF CPNI: MARKETING WITHOUT CUSTOMER APPROVAL

A. The Company may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (i.e., local, interexchange, and CMRS) to which the Customer already subscribes from the Company, without Customer approval.
    a. Example: Customer subscribes to the primary basic local exchange service of ABC Telephone Company (ABC). ABC may use CPNI to market a different local exchange service calling plan to Customer.
B. If the Company provides different categories of service, and a Customer subscribes to more than one category of service (the categories being local, interexchange, and CMRS) offered by the Company, the Company may share CPNI among its Affiliated entities that provide a service offering to the Customer, without Customer approval.
    a. Example: Customer subscribes to the local telephone service of ABC Telephone Company (ABC), and also subscribes to the toll service of ABC. ABC may share CPNI with its Affiliate, XYZ Corp, without obtaining Customer's prior approval, if XYZ Corp provides a service offering to the customer.
C. The Company may, without Customer approval, use CPNI to market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding, and Centrex features.

SECTION 7
USE OF CPNI: ONLY WITH CUSTOMER APPROVAL

A. The Company may not use, disclose, or permit access to CPNI to market service offerings to a Customer that are within a category of service to which the Customer does not already subscribe from the Company, unless:
    1. No Customer approval is necessary (as described in Section 6); or
    2. The Company has Customer approval to do so.
B. If the Company provides different categories of service, but a Customer does not subscribe to more than one offering by the Company, the Company is not permitted to share CPNI with its Affiliates, except with the Customer's approval.
    a. Example: Customer subscribes to the local telephone service of ABC Telephone Company (ABC), but no other service. ABC may not share CPNI with its Affiliate, XYZ Long Distance, without obtaining Customer's prior approval.
C. The Company may obtain approval through written, oral or electronic methods.
    1. If the Company relies on oral approval, it bears the burden of demonstrating that such approval has been given in compliance with the FCC's regulations.
    2. A Customer's approval or disapproval to use, disclose, or permit access to CPNI must remain in effect until the Customer revokes or limits such approval or disapproval.
    3. The Company must maintain records of approval, whether oral, written or electronic, for at least one year.
D. Except as described in Section 5.E., CMRS providers must obtain the Customer's express prior authorization before disclosing or providing access to:
    a. Call location information concerning the user of a commercial mobile service, or
    b. Automatic crash notification information of any person other than for use in the operation of an automatic crash notification system.
E. Use of Opt-Out and Opt-In Approval Processes: The Company may utilize the Opt-Out or Opt-In Method to obtain approval to use its Customer's individually identifiable CPNI for the purpose of marketing communications-related services to that Customer.
    a. Opt-Out Method.
        i. Not Permissible:
            1. To obtain approval to disclose the Customer's CPNI to joint venture partners or independent contractors.
            2. For the purpose of marketing non-Communications-Related Services to a Customer.
                a. Example: Opt-Out Method cannot be used to obtain Customer approval to market video services.
            3. Permissible: In cases requiring prior Customer approval for the purpose of marketing Communications-Related Services to a Customer (but not for disclosing CPNI to joint venture partners or independent contractors).
    b. Opt-In Method: Permissible in all cases requiring prior Customer approval.

SECTION 8
NOTICES REQUIRED TO OBTAIN APPROVAL TO USE CPNI

A. Mandatory Notices Regarding Solicitation.

1. Prior to soliciting any Customer approval to use, disclose, or permit access to Customers' CPNI, whether through the Opt-In Method or the Opt-Out Method, the Company must notify the Customer of the Customer's right to restrict use of, disclosure of, and access to, the Customer's CPNI.
2. Content of Notice: Customer notification must provide sufficient information to enable the Customer to make an informed decision whether to permit a Carrier to use, disclose, or permit access to, the Customer's CPNI. The notification must:
    i. State that the Customer has a right, and the Company has a duty, under federal law, to protect the confidentiality of CPNI.
    ii. Specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the Customer of the right to disapprove those uses, and deny or withdraw access to CPNI at any time.
    iii. Advise the Customer of the precise steps the Customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the Customer subscribes. However, the Company may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.
    iv. Be comprehensible and not misleading.
    v. State that any approval or denial of approval for the use of CPNI outside of the service to which the Customer already subscribes from that Carrier is valid until the Customer affirmatively revokes or limits such approval or denial.
3. If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a Customer.
4. If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.
5. The Company may state in the notification that the Customer's approval to use CPNI may enhance its ability to offer products and services tailored to the Customer's needs. The Company also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the Customer.
6. The Company may not include in the notification any statement attempting to encourage a Customer to freeze third-party access to CPNI.
7. The Company's solicitation for approval must be proximate to the notification of a Customer's CPNI rights.

SECTION 8
NOTICES REQUIRED TO OBTAIN APPROVAL TO USE CPNI (CONT'D)

A. Opt-Out Notice Requirements. The Company must provide notification to obtain Opt-Out Approval through electronic or written methods, and not by oral communication (except for one-time use of CPNI, as discussed Section 8.D. below). The contents of any such notification must comply with the requirements of Section 8.A., above, and:
    1. The Company must wait a 30-day minimum period of time after giving Customers notice and an opportunity to opt-out before assuming Customer approval to use, disclose, or permit access to CPNI. The Company may, in its discretion, provide for a longer period. The Company must notify Customers as to the applicable waiting period for a response before approval is assumed.
    2. In the case of an electronic form of notification, the waiting period begins to run from the date on which the notification was sent.
    3. In the case of notification by mail, the waiting period begins to run on the third day following the date that the notification was mailed.
    a. If the Company uses the opt-out mechanism it must provide notices to its Customers every two years.

B. Opt-Out Notice Requirements (Cont'd).
    1. Use of E-mail: If the Company uses e-mail to provide opt-out notices, it must comply with the following additional requirements:
    2. The Company must have express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;
    3. Customers must be able to reply directly to e-mails containing CPNI notices in order to opt-out;
    4. Opt-out e-mail notices that are returned to the Company as undeliverable must be sent to the Customer in another form before the Company may consider the Customer to have received notice; and
    5. The subject line of the e-mail must clearly and accurately identify the subject matter of the e-mail.
    6. The Company must make available to every Customer a method to opt-out that is of no additional cost to the Customer and that is available 24 hours a day, seven days a week. The Company may satisfy this requirement through a combination of methods, so long as all Customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.

C. Opt-In Notice Requirements. The contents of any Opt-In Approval notification must comply with the requirements described in Section 8.A., above.

D. Notice Requirements Specific to One-Time Use of CPNI.
    1. The Company may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound Customer telephone contacts for the duration of the call.
    2. The contents of any such notification must comply with the requirements of Section 8.A., except that the Company may omit any

of the following if not relevant to the limited use for which the Carrier seeks CPNI:

a) The Company need not advise Customers that if they have opted out previously, no action is needed to maintain the opt-out election.
b) The Company need not advise Customers that it may share CPNI with its Affiliate(s) or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an Affiliate or third party.
c) The Company need not disclose the means by which a Customer can deny or withdraw future access to CPNI, so long as the Company explains to Customers that the scope of the approval the Company seeks is limited to one-time use.
d) The Company may omit disclosure of the precise steps a Customer must take in order to grant or deny access to CPNI, as long as the Company clearly communicates that the Customer can deny access to his CPNI for the call.

SECTION 9
DISCLOSURE OF CPNI WITH JOINT VENTURE PARTNERS OR INDEPENDENT CONTRACTORS

The Company must obtain opt-in consent from a Customer before disclosing the Customer's CPNI to a joint venture partners or independent contractors for the purposes of marketing Communications-Related Services to that Customer. Obtaining approval using the Opt-Out Method is not permissible.

SECTION 10
COMPANY SAFEGUARDS AND RECORDKEEPING REQUIREMENTS

A. Management Safeguards.

1. Training of Company personnel will include review of this Manual by all new employees and all existing employees who have not previously done so.
2. The Company will provide additional training on an as-needed basis.
3. Company personnel will make no decisions regarding CPNI without first consulting the individual(s) listed in Section 2 of this Manual. The Company's personnel must obtain supervisory approval regarding any proposed use of CPNI.
4. In deciding whether the contemplated use of the CPNI is proper, the individual(s) listed in Section 2 will consult this Manual, applicable FCC regulations, and, if necessary, legal counsel.
5. The person(s) listed in Section 2 will personally oversee the use of approval methods and notice requirements for compliance with all legal requirements.
6. The person(s) listed in Section 2 will also ensure that the Company complies with the opt-in requirements before sharing CPNI with any joint venture partners or independent contractors.
7. Any improper use of CPNI will result in appropriate disciplinary action in accordance with established Company disciplinary policies. Any improper use shall be treated as a serous offense, and may result in suspension or termination of employment in appropriate cases. Any Company personnel making improper use of CPNI will undergo additional training to ensure future compliance.
8. FCC Notification of Opt-Out Failure. The Company will provide written notice within five business days to the FCC of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.
9. The notice will be in the form of a letter, and will include the Company's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to Customers, and contact information.
10. The Company must submit the notice even if the Company offers other methods by which consumers may opt-out.
11. Annual Filing of Certificate of Compliance. On an annual basis, a corporate officer of the Company will sign and file with the Federal Communications Commission (FCC) a Compliance Certificate (Appendix 1) stating his or her personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with the FCC's CPNI rules. A statement will accompany the Certificate explaining how the Company's operating procedures ensure that it is or is not in compliance with the FCC's CPNI rules, as well as an explanation of any actions taken against data brokers and a summary of all Customer complaints received in the past year concerning the unauthorized release of CPNI. Additionally, the Company must report on any information it has with respect to the processes pretexters are

using to attempt to access CPNI, and what steps it is taking to protect CPNI. This annual filing will be made with the FCC's Enforcement Bureau on or before March 1 in EB Docket No. 06-36, for data pertaining to the previous calendar year.

a. The "actions against data brokers" discussed above refers to proceedings instituted or petitions filed by the Company at either at a state or federal commission, or the court system.
b. The "summary of all Customer complaints received" refers to number of Customer complaints the Company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category of complaint, e.g., instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.

12. The Company will review these procedures on a continuing basis to ensure compliance with all FCC regulations, and will revise these procedures as needed to reflect any subsequent revisions to the applicable rules and regulations addressing CPNI.

2. Recordkeeping.
    1. The Company will maintain records of its own sales and marketing campaigns that use CPNI in files clearly identified as such. These records include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. The Company will maintain these records in its offices for a minimum of one year.
    2. The Company will maintain records of its Affiliates' sales and marketing campaigns that use CPNI in files clearly identified as such. These records will include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. The Company will maintain these records in its offices for a minimum of one year.
    3. The Company will maintain records of all instances where it discloses or provides CPNI to third parties, or where third parties are allowed access to CPNI, in files clearly identified as such. These records will include a description of each campaign, the specific CPNI that was used in the campaign, and the products and services that were offered as a part of the campaign. The Company maintains these records in its offices for a minimum of one year.
    4. The Company's policy is to maintain records of Customer approval for use of CPNI, as well as notices required by the FCC's regulations, for a minimum of one year. The Company maintains records of Customer approval and disapproval for use of CPNI in a readily-available location that is consulted on an as-needed basis.
    5. The Company will maintain separate files in which it will retain any court orders respecting CPNI.
3. Authentication and Procedural Safeguards.
    1. The Company must take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI.

2. The Company must properly authenticate a Customer prior to disclosing CPNI based on Customer-initiated telephone contact, online account access, or an in-store visit.
    a) Telephone Access to CPNI. The Company will only disclose Call Detail Information over the telephone, based on Customer-initiated telephone contact, if the Customer first provides the Carrier with a password, as described in Section 10.C.3., that is not prompted by the Carrier asking for Readily Available Biographical Information, or

4. Account Information. If the Customer does not provide a password, or does not wish to create a password, the Company may only disclose Call Detail Information by sending it to the Customer's Address of Record, or, by calling the Customer at the Telephone
5. Number of Record (rather than using Caller ID).
    a. If the Customer is able to provide Call Detail Information to the Company during a Customer-initiated call without the Company's assistance, then the Telecommunications Carrier is permitted to discuss the Call Detail Information, provided by the Customer (but not other Call Detail Information).
    b. If a Customer requests non-Call Detail Information CPNI, the Company need not first obtain a password from the Customer, but must nevertheless authenticate the Customer.
    c. The Company need not require Customer to setup a password, but must provide the Customer the option to do so.
6. Authentication and Procedural Safeguards (Cont'd).
    1. Online Access to CPNI. The Company must authenticate a Customer without the use of Readily Available Biographical Information, or Account Information, prior to allowing the Customer online access to CPNI related to a Telecommunications Service account. Once authenticated, the Customer may only obtain online access to CPNI related to a Telecommunications Service account through a password, as described in Section 10.C.3., that is not prompted by the Company asking for Readily Available Biographical
7. Information, or Account Information.
    1. The Company may choose to block access to a Customer's account after repeated unsuccessful attempts to log into that account.
        a. In-Office Access to CPNI. The Company may disclose CPNI (except for Call Detail Information) to a Customer who, in the Company's office, first presents a Valid Photo ID matching the Customer's Account Information.
    2. Authentication and Procedural Safeguards (Cont'd).
    3. Establishment of a Password. The Company must authenticate the Customer without the use of Readily Available Biographical Information, or Account Information. The Company may establish passwords, among other methods:
    4. At the time of service initiation;
        a. Using a Personal Identification Number (PIN). The Company may supply the Customer with a randomly-generated PIN, not based on Readily Available Biographical Information, or Account Information, which the Customer would then provide to the Carrier prior to establishing a

password. The Company may supply the PIN to the Customer by a Company-originated voicemail or text message to the Telephone Number of Record, or by sending it to an Address of Record so as to reasonably ensure that it is delivered to the intended party.

b. The Company is not required to create new passwords for customers who already have a password, even if the password uses Readily Available Biographical Information. However, the Company must not prompt the Customer for Readily Available Biographical Information, and any back-up authentication method cannot use

5. Readily Available Biographical Information.
6. Establishment of Back-up Authentication Methods. The Company may create a back-up Customer authentication method in the event of a lost or forgotten password. The back-up Customer authentication method may not prompt the Customer for Readily Available Biographical Information, or Account Information. The shared secret is the preferred method for establishing backup authentication.
7. Reauthentication. If a Customer cannot provide the correct password or the correct response for the back-up Customer authentication method, the Customer must establish a new password.
8. Notification of Account Changes. The Company must notify a Customer immediately whenever a password, Customer response to a back-up means of authentication for lost or forgotten passwords, online account, or Address of Record is created or changed.
    i. This notification is not required when the Customer initiates service, including the selection of a password at service initiation.
    ii. This notification may be through a Company-originated voicemail or text message to the Telephone Number of Record (not caller ID), or by mail to the Address of Record, and must not reveal the changed information or be sent to the new Account Information.
    iii. A change of address should be mailed to the former address, rather than the new address.
9. Business Customer Exemption. The Company may bind itself contractually to authentication regimes other than those described in this Manual for services they provide to business Customers that have both a dedicated account representative and a contract that specifically addresses the Company’s protection of CPNI.
10. Notification of Customer Proprietary Network Information Security Breaches.
11. The Company will take reasonable steps to protect CPNI databases from hackers and other unauthorized attempts by third parties to access CPNI.
12. The Company must notify law enforcement of a Breach of its Customers' CPNI. A Breach occurs when a person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI.
13. The Company shall not notify its Customers or disclose the Breach publicly, whether voluntarily or under state or local law or these rules, until it has completed the process of notifying law enforcement. As soon as practicable, and in no event later than seven (7) business days, after reasonable determination of

the Breach, the Company shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of

14. Investigation (FBI) through a central reporting facility. The Commission will maintain a link to the reporting facility at http://www.fcc.gov/eb/cpni. The Company will indicate its desire to notify its Customer or class of Customers immediately concurrent with its notice to the USSS and FBI.
    a. Notwithstanding any state law to the contrary, the Company shall not notify Customers or disclose the Breach to the public until 7 full business days have passed after notification to the USSS and the FBI except as provided in the following Paragraphs b. and c.
    b. If the Company believes that there is an extraordinarily urgent need to notify any class of affected Customers sooner than otherwise allowed under Paragraph a. immediately above, in order to avoid immediate and irreparable harm, it shall so indicate in its notification and may proceed to immediately notify its affected Customers only
15. after consultation with the relevant investigating agency. The Company shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such Customer notification.
16. Notification of Customer Proprietary Network Information Security Breaches (Cont'd).
17. If the relevant investigating agency determines that public disclosure or notice to Customers would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct the Company not to so disclose or notify for an initial period of up to 30 days. Such period may be extended by the agency as reasonably necessary in the judgment of the agency. If such direction is given, the agency shall notify the Company when it appears that public disclosure or notice to affected Customers will no longer impede or compromise a criminal investigation or national security. The agency will provide in writing its initial direction to the Company, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by Carriers.
    a. After the Company has completed the process of notifying law enforcement as described in Paragraphs 3.a – 3.c. above, it shall notify Customers of the Breach.
    b. Recordkeeping. The Company must maintain a record, electronically or in some other manner, of any Breaches discovered, notifications made to the USSS and the FBI pursuant to the above paragraphs, and notifications made to Customers. The record must include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the Breach, and the circumstances of the Breach. The Company must retain the record for a minimum of 2 years.